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STATE FOR ISN/CB, VCI/CCB, L/ACV, IO/S
SECDEF FOR OSD/ISP
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (GOLDMAN)
NSC FOR LEDDY
WINPAC FOR WALTER

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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP-UP FOR THE
WEEK ENDING JUNE 22

This is CWC-61-07.

ARTICLE VII

¶1. (U) Facilitator Kimmo Laukenen (Finland) held an 18 June 2007 consultation to discuss the Director General's Note "Summary of Developments in the Implementation of Article VII of the Chemical Weapons Convention from 16 February to 25 May 2007 (EC-49/DG.12 dated 7 June 2007)". In brief, Legal Advisor Onate reported that the number of states yet to establish National Authorities rose by one to ten due to the accession of Barbados. Other significant achievements were Bahrain's review of Article XI paragraph 2(e) requirements with its legislature and reported them in May 2007 to be consistent with its obligations. The Belgian Federal Parliament adopted its legislation covering all key areas, and its regional parliaments also are proceeding. Bahrain reported that its draft legislation had been submitted to the Council of Ministers and then to Parliament, but passage was expected to take some time. Finally St. Kitts and Nevis submitted to the Technical Secretariat its draft legislation which covers all key areas. It still needs to establish regulations controlling chemical transfers and requiring end-user certificates.

¶2. (U) When asked about developments since 25 May, Onate noted that both Argentina and Tunisia enacted legislation covering all key areas on 22 May, but this was not included in the Progress Report because the TS received the draft after the 25 May cut-off date. Some additional states have finalized drafts and are in the process of submitting them to their legislatures. Laukenen, who attended the meeting of the Nordic national Authorities in Iceland, reported that the draft legislation -- modeled on the Norwegian text -- had been circulated and was expected to be enacted by the late ¶2007.

¶3. (U) Calendar of activities in addition to those reported in the DG's note include a training course in Spain 2-6 July, an implementation workshop in South Africa 9-11 July, a meeting of SADC Customs officials in Zambia 20-24 July, a Technical Assistance Visit to Colombia 24 July, a regional meeting for Parliamentarians of GRULAC states 26-27 July, and

a TAV tentatively scheduled in Paraguay 30-31 July. August meetings are still tentative but could include a legal meeting for PIF states in Palau and a TAV to Venezuela. In September, the TS will participate in training for National Authorities of Lusophone states in Brazil, lead a TAV to Portugal, and organize a sub-regional legal workshop in The Gambia.

REVCON WORKING GROUP - ARTICLES X AND XI

¶4. (U) On June 19, Amb. Lyn Parker (UK), the RevCon Working Group Chair, convened a meeting to discuss Articles X (assistance and protection) and XI (international cooperation and assistance). The discussion on Article X was fairly straightforward, with delegations expressing praise for what had been accomplished, and pressing for more work in the future. Del rep noted that the U.S. was providing a national paper on Articles X and XI that would be put on the external server, and highlighted key points from the paper.

¶5. (U) France stated that Article X could be of utility in the anti-terrorism effort, a view which was supported by India and South Korea. The Article X facilitator (Jytka Brodska, Czech Republic) provided a recitation of the various TS projects under way and the particular areas of focus.

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South Africa noted that the RevCon should assess whether TS capabilities under Article X should be updated and also said the TS should assess what regional groups could do to supplement efforts. The UK introduced a paper highlighting various areas under Article X which it believes deserve particular attention (E-mailed to ISN/CB).

¶6. (U) Iran asserted that the TS should have an independent capability to reply to Article X requests, but no delegation expressed support for that view. In a more measured statement, it asserted that the TS should seek to respond in an optimal manner. In addition, Iran reiterated its earlier call for an international support network for the victims of CW, arguing that it should be an issue for the RevCon. Again, no one supported the Iranian position.

¶7. (U) On Article XI, there was a much more energized discussion. Cuba began by speaking on behalf of the NAM and noting that the CSP had agreed to remain seized of Article XI. It stated that there appeared to be informal agreement on an Article XI facilitator. (Note: PRC Ambassador Xue confirmed to Amb. Javits that NAM delegations had come to her with a very strong appeal for China to offer someone who could serve as facilitator. As a result, Mr. Li Hong of the Chinese del has been nominated to fill this position, and is certain to be approved.)

¶8. (U) A number of NAM delegations (India, Iran, South Africa, China) associated themselves with the Cuban statement. China went on to note that it sees a need for greater activity under Article XI and that more resources are needed for ICA activities. Germany came in to emphasize that a balance needs to be found between destruction, nonproliferation, Article X and ICA. Following on the German comment, India said that the Article XI pillar must be strengthened, particularly as it is critical to promote universality.

¶9. (U) South Africa then made the general statement that arbitrary restrictions on trade in chemicals should not be allowed. That opened the door for Iran to emphasize that there are undue restrictions on trade in chemicals, which undermines the CWC. Iran then called for an Article XI action plan. (Note: In the subsequent meeting with the Chinese delegation, del rep made quite clear to Li Hong that the U.S. would not be able to support an action plan.)

¶10. (U) Japan provided a strong, immediate rebuttal arguing that national export control systems are perfectly in

accordance with the CWC. After drawing on the Article XI points from the U.S. paper, del rep also expressed support for the Japanese position, which was then seconded by France, the UK and Germany.

11. (U) Javits sends.
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